

Remarks

Applicants are grateful for the Examiner's observation in paragraph 1 of the detailed action and have corrected the mistaken dependency of claims 11 to 13.

Turning to consider the Examiner's claim rejections under 35 USC §103(a), applicants believe the Examiner may have somewhat misunderstood the teaching of Blahut et al (US 5,446,490). The Examiner equates the programming center 121 and program library 122 with the content providing server of the present invention, and ITV server 120 and head end equipment 101 with the distribution server of the present invention. Applicants submit that it is ITV server 120 that is most similar to the content providing server of the present invention and that there is no disclosure in Blahut of the distribution server. To bring this out more clearly, all the claims are amended to recite the feature that the content providing server is capable of communicating content to at least a first and second recipient server in response to a request. Basis for this is to be found on page 11, lines 31 to 34 and is implicit in the field of the invention - i.e. Near Video On-Demand (NVOD). The Examiner will appreciate that programming center 121 and program library 122 are not servers which are capable of responding to a request for content.

Applicants have further amended all of the claims to recite the feature that the distribution server, or multicast server, and corresponding method and computer executable software code claims, are capable of receiving control data and generating the data streams in response to the received control data and that the respective offset value is indicated in the control data. This makes explicit a key feature of the present invention in which the distribution server or multicast server is controlled to distribute the content in a staggered or offset manner. Basis for this can be found on page 11, lines 4 to 24. The Examiner will note from this passage that the control data need not be provided only by the content providing server. Hence, no such limitation is provided in the claim amendments.

An advantage of providing the distribution or multicast server as currently claimed is that the bandwidth required between the content providing server at the distribution server or multicast server is reduced. Although various subscribers may be requiring streamed content which is offset in time, the extra bandwidth required for transmitting multiple versions of the same content is only required between the distribution server and the subscribers, not between the content providing server and the distribution server which need only the bandwidth to transmit one such stream of content.

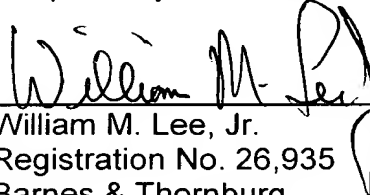
The features of the present invention as set out in the claims are nowhere to be found in Blahut or the other references cited by the Examiner. Furthermore, there is no teaching in Blahut which suggests that the issue of bandwidth is a problem or which hints at the solution of the present invention. Accordingly, applicants submit that the invention as presently claimed is allowable and look forward to receiving a Notice of Allowance.

Applicants respectfully submit that the Examiner's claim rejections under 35 USC 103(a) are now moot, but for the avoidance of doubt, applicants respectfully traverse each of the Examiner's rejections.

Further and favorable reconsideration is urged. An appropriate petition for extension of time is also submitted herewith.

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Respectfully submitted,

A handwritten signature in black ink, appearing to read "William M. Lee, Jr.", is written over a horizontal line.

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